

1 KAMALA D. HARRIS
Attorney General of California
2 JAMES M. LEDAKIS
Supervising Deputy Attorney General
3 DESIREE I. KELLOGG
Deputy Attorney General
4 State Bar No. 126461
110 West "A" Street, Suite 1100
5 San Diego, CA 92101
P.O. Box 85266
6 San Diego, CA 92186-5266.
Telephone: (619) 645-2996
7 Facsimile: (619) 645-2061
Attorneys for Complainant

8
9 **BEFORE THE**
BOARD OF REGISTERED NURSING
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11
12 In the Matter of the Accusation Against:

13 **DEANNA DENZY**
833 S. Cedros Ave. Apt. 28
14 Solana Beach, CA 92075

15 **Registered Nurse License No. 517956**

16 Respondent.

Case No. *2012-606.*

ACCUSATION

17
18 Complainant alleges:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
21 official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department
22 of Consumer Affairs.

23 2. On or about December 1, 1995, the Board of Registered Nursing issued Registered
24 Nurse License Number 517956 to Deanna Denzy (Respondent). The Registered Nurse License
25 was in full force and effect at all times relevant to the charges brought herein and will expire on
26 June 30, 2013, unless renewed.

JURISDICTION

3. This Accusation is brought before the Board of Registered Nursing (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

4. Section 2750 of the Business and Professions Code ("Code") provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

5. Section 2764 of the Code provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license.

6. Section 2811(b) of the Code provides, in pertinent part, that the Board may renew an expired license at any time within eight years after the expiration.

STATUTORY AND REGULATORY PROVISIONS

7. Section 2761 of the Code states:

The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

(a) Unprofessional conduct...

8. Title 16, California Code of Regulations, section 1444 states:

A conviction or act shall be considered to be substantially related to the qualifications, functions or duties of a registered nurse if to a substantial degree it evidences the present or potential unfitness of a registered nurse to practice in a manner consistent with the public health, safety, or welfare. Such convictions or acts shall include but not be limited to the following:

(a) Assaultive or abusive conduct including, but not limited to, those violations listed in subdivision (d) of Penal Code section 11160.

(b) Failure to comply with any mandatory reporting requirements.

(c) Theft, dishonesty, fraud, or deceit.

(d) Any conviction or act subject to an order of registration pursuant to Section 290 of the Penal Code.

1 **COST RECOVERY**

2 9. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
3 administrative law judge to direct a licensee found to have committed a violation or violations of
4 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
5 enforcement of the case.

6 **CAUSE FOR DISCIPLINE**

7 **(Unprofessional Conduct)**

8 10. Respondent is subject to disciplinary action under Code section 2761(a), within the
9 meaning of title 16, California Code of Regulations section 1444(c), in that she forged her
10 physician's signature and provided false information on a health certificate she submitted in
11 connection with her employment application. The circumstances are as follows.

12 11. In July 2011, Respondent submitted an application to become a registry nurse with
13 Maxim Healthcare Services in Poway, California. In connection with pre-hire paperwork,
14 Respondent submitted a certificate indicating that she had a physical examination on June 30,
15 2011 performed by Dr. F.L., the results of her laboratory tests were either negative or normal, her
16 physical examination was "within normal limits," and there were no limitations or restrictions on
17 employment as a nurse. She then forged Dr. F.L.'s signature on the certificate. Since the
18 physician's signature appeared to be written in Respondent's handwriting, staff at Maxim
19 Healthcare Services contacted Dr. F.L.'s office and confirmed that Dr. F.L. had not examined
20 Respondent on June 30, 2011 nor had she completed and signed the Health Certificate.
21 Respondent subsequently admitted that she had completed the Health Certificate herself, she
22 signed Dr. F.L.'s name and submitted the certificate in connection with her employment
23 application.

24 **PRAYER**

25 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
26 and that following the hearing, the Board of Registered Nursing issue a decision:

27 1. Revoking or suspending Registered Nurse License Number 517956, issued to Deanna
28 Denzy;

2. Ordering Deanna Denzy to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;

3. Taking such other and further action as deemed necessary and proper.

DATED: April 5, 2012

Louise R. Bailey
LOUISE R. BAILEY, M.ED., RN
Interim Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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